

# CITY OF HAYWARD AGENDA REPORT

Meeting Date 12/15/05 Agenda Item 3

TO:

**Planning Commission** 

FROM:

Carl T. Emura, ASLA, Associate Planner

Andrew S. Gaber, P.E., Development Review Engineer

SUBJECT:

Site Plan Review No. PL-2005-0525 & Tentative Tract Map No. 7699/PL-

2005-0527 - Jitender Makkar, Edge Concepts Inc. (Applicant/Owner) - Request to

Subdivide a Half-Acre Parcel and Develop Five Townhomes

The property is located at 420 Smalley Avenue, between Flagg Street and Princeton

Street, in a Medium Density Residential (RM) Zoning District

#### RECOMMENDATION

Staff recommends that the Planning Commission:

- 1. Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15332 In-Fill Development; and
- 2. Approve the site plan review application subject to the attached findings and conditions; and
- 3. Approve the Tentative Tract Map application, subject to the attached findings and conditions.

#### **DISCUSSION:**

#### Background

The property contains 20,437 square feet (.47 acre) with a single-family dwelling and detached garage. To the west and east of the site are residential properties with single-family dwellings in front and two-story multi-family dwellings in the rear. To the north is a two-story multi-family dwelling and across the street to the south are predominantly single-family dwellings.

The General Plan designation for the property is Medium Density Residential (MDR), which allows for up to 17.4 dwelling units per acre. The density of the proposed project would be less than 11 units per acre. The property is located in a Medium Density Residential (RM) Zoning District, which requires 3,500 square feet of lot area per dwelling unit for a parcel of this size. The property meets the minimum area for five units.

The applicant proposes to remove the detached garage and expand the single-family dwelling with an attached garage and second-floor addition over the garage. A two-story, 1,693-square-

foot, 3-bedroom unit would be attached to the single-family dwelling. Three other attached units of similar size are proposed at the rear half of the property. Each home would have a two-car garage, a balcony over the garage and a well-defined entry. The proposed buildings have significant architectural relief on the elevation facing the driveway and the roof design has a combination of hips and gables and has varied ridge levels to help reduce the apparent sizes of the buildings. The attached single-family dwelling would be remodeled to match the façade of the new units and would contain 2,136 square feet with 4 bedrooms. Its single-story frontage would provide a transition between the mixture of single-story and two-story residential homes in the neighborhood.

A minimum of 350 square feet of usable open space per unit, or a total of 1,750 square feet, is required. A total of 4,438 square feet of open space is proposed. Of the 350 square feet per unit, at least 100 square feet (500 square feet total) must be devoted to group open space. Two group open spaces (673 and 1,785 square feet) totaling 2,458 square feet are proposed, far exceeding what is required. Each unit would have 287 square feet of private open space with the exception of the remodeled single-family dwelling, which would have 829 square feet of private open space. In addition, the emergency vehicle turn-around between the two buildings would be available as a recreation area. The playfields and the swim center of the former Sunset High School are located one and one-half blocks away and would provide additional recreational opportunities for residents of the project.

The City's Off-Street Parking Regulations require 2.1 parking spaces per unit. A total of 12 parking spaces are required, 2 of which must be available to guests. The proposal includes 14 parking spaces -10 in the two-car garages and 2 open guest spaces at the rear of the site. Onstreet parking is also available on Smalley Avenue.

The proposal is consistent with the Burbank Neighborhood Plan, which encourages high quality design with entries and windows facing the street to improve overall streetscape aesthetics. The Plan also encourages requiring adequate resident and guest parking to reduce car parking on streets.

The property is one and one-half blocks from Western Boulevard, which is along the AC Transit bus route #93, with connections to Downtown and the Hayward BART station where people can connect to various public transportation options serving the Bay Area.

#### Tract Map

The proposed subdivision creates 6 parcels; 5 residential lots and 1 lot for the private driveway and common area landscaping. The homeowners' association, who will be responsible for maintaining the common driveway and parking area within the development, will own this parcel. The proposed driveway width is adequate for circulation and Fire Department accessibility requirements.

The formation of a homeowners association and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required to cover the maintenance of the private driveway and common area landscaping. The common area landscaping includes all areas except the private

rear yards and the homes. The CC&R's will also contain a standard condition that if the homeowners association fails to maintain the common areas and driveway, the City of Hayward will have the right to enter the project and perform the work necessary to maintain these areas and lien the properties for their proportionate share of the costs.

There are existing utilities within Smalley Avenue, including sanitary sewer and water, with sufficient capacity to adequately serve the proposed project. Storm drainage will be directed to a system that currently runs within Smalley Avenue. Full frontage improvements; curb, gutter and sidewalk, will be constructed along the Smalley Avenue frontage. Any damaged pavement in Smalley Avenue will be repaired.

### **Environmental Review**

The proposal is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332, Infill Development

#### **Public Notice**

On October 27, 2005, a Notice of Preliminary Meeting was sent to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Burbank Neighborhood Task Force. Only one neighbor attended the preliminary meeting held on October 27, 2005. The neighbor was interested in doing something similar on his property and was not opposed to the project. On December 5, 2004 a Notice of Public Hearing for the Planning Commission meeting was mailed. In addition, a public notice sign was placed at the site prior to the Public Hearing to notify neighbors and interested parties residing outside the 300-foot radius.

#### Conclusion

The proposed project complies with the Zoning Ordinance, the City's Design Guidelines and the Burbank Neighborhood Plan. The proposal would provide much needed, high quality housing for the City of Hayward and would help to improve the appearance of this portion of Smalley Avenue.

Prepared by:

Carl T. Embra, ASLA

Associate Planner

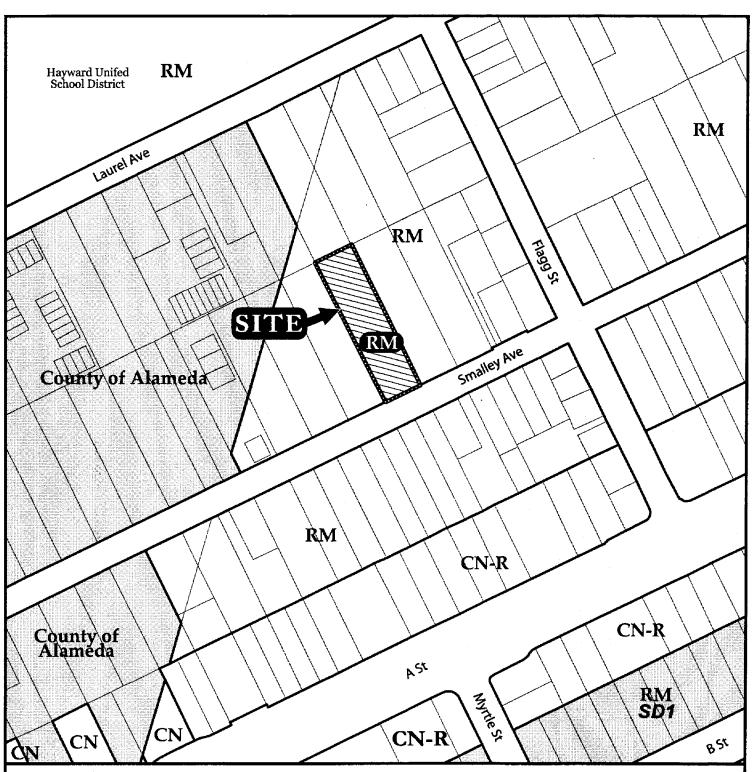
Andrew S. Gaber, P.E.
Development Review Engineer

Recommended by:

Richard Patenaude, AICP Acting Planning Manager

#### Attachments:

- A. Area & Zoning Map
- B. Findings for Approval of Site Plan Review Application
- C. Conditions of Approval for Site Plan Review Application
- D. Findings for Approval of Tentative Tract Map
- E. Conditions of Approval for Tentative Tract Map
  Plans



# Area & Zoning Map

PL-2005-0525 SPR

PL-2005-0527 TTM 7699

Address:

420 Smalley Ave

Applicant:

Jitender Makkar

Owner:

Jitender Makkar

### **Zoning Classifications**

RESIDENTIAL

RM Medium Density Residential, min. lot size 2500 sqft

COMMERCIAL

**CN** Neighborhood Commercial

CN-R Neighborhood Commercial/Residential

SPECIAL DESIGN DISTRICT OVERLAY

SD1 "B" Street Special Design District Overlay



## CITY OF HAYWARD PLANNING DIVISION SITE PLAN REVIEW APPROVAL

### December 15, 2005

Site Plan Review Application No. PL-2005-0525 & Tentative Tract Map No. 7699: Request to Subdivide a 0.47-Acre Parcel and Develop Five Townhomes – Jitender Makkar, Edge Concepts, Ltd. (Applicant/Owner)

The project location is 420 Smalley Avenue, between Flagg Street and Princeton Street, in a Medium Density Residential (RM) Zoning District

#### Findings for Approval:

- A. That approval of Site Plan Review Application Nos. PL-2005-0525, as conditioned, will have no significant impact on the environment, cumulative or otherwise, and the project reflects the City's independent judgment and is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332, of the CEQA Guidelines (Infill Development).
- B. The development is compatible with surrounding structures and uses and is an attractive addition to the City in that it is consistent with the developmental pattern in the neighborhood, which includes a mixture of detach one-story single-family dwellings mixed with two-story multi-family dwellings.
- C. The development takes into consideration physical and environmental constraints in that it single-story frontage of the renovated single-family dwelling would provide a transition between the mixture of single-story and two-story residential homes in the neighborhood.
- D. The development complies with the intent of City development policies and regulations including, but not limited to the Zoning Ordinance, the City's Design Guidelines and the Burbank Neighborhood Plan.
- E. The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that the use of the property for multiple-family dwellings is the same as the use of surrounding properties.

# CITY OF HAYWARD PLANNING DIVISION SITE PLAN REVIEW APPROVAL

#### **December 15, 2005**

Site Plan Review Application No. PL-2005-0525 & Tentative Tract Map No. 7699: Request to Subdivide a 0.47-Acre Parcel and Develop Five Townhomes – Jitender Makkar, Edge Concept, Inc. (Applicant/Owner)

The project location is 420 Smalley Avenue, between Flagg Street and Princeton Street, in a Medium Density Residential (RM) Zoning District

#### CONDITIONS OF APPROVAL:

- 1. Site Plan Review Application No. PL-2005-0525, is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void two years after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
- 2. If a building permit is issued for construction of improvements authorized by the site plan review approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the site plan review approval.
- 3. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
- 4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
- 5. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
- 6. The approval of this site plan review is tied to the approval of Tentative Map No. 7699 and the associated conditions of approval. No building permit shall be issued for any structure within this application until the City Council has approved the final map and said map is recorded.

7. The developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation. Construction equipment shall be maintained and operated in such a way as to minimize exhaust emissions. If construction activity is postponed, graded or vacant land shall immediately be revegetated.

#### Architecture, Site Amenities and Details

- 8. The colors and materials of the exterior of the building shall be approved by the Planning Director.
- 9. Details of address numbers shall be provided. Address number shall be decorative
- 10. An exterior hose bib shall be provided for each private yard and porch area.
- 11. Each dwelling unit shall have and maintain a minimum of 90 cubic feet of dedicated storage area, above standard closets and bedroom wardrobes, accessible from the exterior of the unit. Any area of a garage, in excess of the 20'x19' parking area required for each unit, can be counted toward the minimum requirement.
- 12. The driveway entry and fire turnaround will be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. A one-foot concrete band shall be provided around the decorative paving. The location, design and materials shall be approved by the Planning Director.
- 13. The site amenities for the group open space shall be approved by the Planning Director. Amenities shall include but not limited to a trellis, seat walls, picnic tables and barbeque.
- 14. A six-foot-high, wood, "good-neighbor" fence shall be erected along all interior property lines (except within 20 feet of the front property line where the fence shall not exceed 4 feet in height).
- 15. Mailboxes shall be provided. If mailboxes are grouped, they shall be enclosed by a structure compatible with the architecture of the buildings. Location and design of mail boxes shall be approved by the Planning Director.
- 16. A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
- 17. Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.

- 18. Any transformer shall be located underground or screened from view by landscaping and shall be located outside any front or side street yard.
- 19. Two of the open parking spaces shall be marked and signed for visitor use only.

### Covenant, Conditions and Restrictions

- 20. The applicant or homeowners association shall maintain in good repair all fencing, parking and street surfaces, common that buildings shall be repainted, the limitations of work (modifications) allowed landscaping, lighting, trash enclosures, drainage facilities, project signs, exterior building elevations, etc. The CC&Rs shall include provisions as to a reasonable time period on the exterior of the buildings, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within 10 days of occurrence.
- 21. The garage of each unit shall be maintained for off-street parking and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors. This requirement shall be incorporated into the CC&Rs.
- 22. The open parking spaces shall be provided for and maintained as visitors' spaces and shall not be used for recreational vehicles, camper shells, boats or trailers. These spaces shall be clearly marked and monitored by the homeowners association. Parking stalls shall be used only for vehicles in operating condition. The homeowners association shall remove vehicles parked contrary to this provision. The developer shall include in the CC&Rs authority to tow illegally-parked vehicles.
- 23. The developer shall include in the CC&R's that future additions to residential units are prohibited.
- 24. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.

#### Landscaping

- 25. Provide an arborists report by a certified arborist for all of the trees on the site. Show all trees to be preserved in place on the site plan and the landscape plan. Provide mitigation trees for all trees to be removed from the site. Show the mitigation trees on the landscape plan.
- 26. Trees shall be preserved in accordance with the *Tree Preservation Ordinance*. Prior to the commencement of clearing and grading operations, all trees to be preserved or removed shall be indicated on the grading, site and landscape plans, and trees to remain in place shall be noted and provided with tree protection

- measures in compliance with City codes. A tree removal permit is required prior to the removal of any tree. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.
- 27. Prior to the issuance of a grading or building permit, the developer shall provide a tree preservation bond, surety or deposit, equal in value to the trees to be preserved. The bond, surety or deposit shall be returned when the tract is accepted if the trees are found to be in a healthy, thriving and undamaged condition. The developer shall provide an arborist's report evaluating the condition of the trees.
- 28. Park Dedication In-Lieu Fees are required for the 4 new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
- 29. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.
- 30. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
- 31. A two-foot minimum landscape planter shall be provided and landscaped between the front fence and sidewalk.
- 32. A landscape buffer including shrubs and one 15-gallon tree for every 20 lineal feet of property line shall be planted along the north and east property line.
- 33. All above ground utilities, and mechanical equipment shall be screened from view with shrubs.
- 34. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
- 35. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed and maintained within all landscaped areas. This system shall reduced pressure backflow device and shall include an individual adjustable-flow bubbler to each tree.

- 36. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of improvements.
- 37. Prior to issuance of a building permit, detailed landscape plans, irrigation plans and specifications shall be prepared by a licensed landscape architect and submitted for review and approval by the City Landscape Architect and City Engineer. Mylar originals of the approved landscape plans shall be stamped approved and signed off by the City Landscape Architect and City Engineer. Approved original mylars shall be left on file with the Department of Public Works.
- 38. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.

### Solid Waste & Recycling

- 39. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application.
- 40. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.
- 41. This approval is subject to the requirements contained in the memo from the Solid Waste and Recycling Division of the Public Works Department dated 12/11/02.

## FINDINGS FOR APPROVAL TENTATIVE TRACT MAP 7699

- 1. The approval of Tentative Map Tract 7699, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project is categorically exempt per Section 15332, In-fill Development, per the California Environmental Quality Act (CEQA).
- 2. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
- 3. The site is physically suitable for the proposed type of development.
- 4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- 5. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
- 6. Existing streets and utilities are adequate to serve the project.
- 7. None of the findings set forth in Section 64474 of the Subdivision Map Act<sup>1</sup> have been made.

 $<sup>^{1}</sup>$  The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

<sup>(</sup>a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

<sup>(</sup>b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

<sup>(</sup>c) That the site is not physically suitable for the type of development.

<sup>(</sup>d) That the site is not physically suitable for the proposed density of development.

<sup>(</sup>e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

<sup>(</sup>f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

<sup>(</sup>g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

# CONDITIONS OF APPROVAL TENTATIVE TRACT MAP 7699

420 Smalley Avenue

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

#### **IMPROVEMENTS**

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

#### **STREETS**

#### **Public Street**

- 1. New curb, gutter, sidewalk and tie-in paving, shall be installed along the project frontage of Smalley Ave. Any failed pavement in Smalley Ave. adjacent to the project site, shall be removed and replaced. Improvements shall conform to City Standard Details and shall be approved by the City Engineer.
- 2. The driveway entrance off of Smalley Ave. shall be 24 feet wide and shall be designed to meet City of Hayward Standard Detail SD-110.

#### **Private Driveway**

- 3. The private driveway shall have a 20-foot-wide curb-to-curb width allowing for two 10-foot-wide travel lanes. The design, and improvement plans, shall be approved by the City Engineer.
- 4. No parking shall be allowed within the private driveway or fire truck turn-around. Curbs shall be painted red and "No Parking" signs shall be installed along the sides of the private drive.
- 5. Decorative pavement e.g. interlocking pavers or stamped colored concrete, or bands of decorative paving, etc. shall be installed at the entrance and various locations within the subdivision. The Planning Director shall approve the material, color and design and the City Engineer shall approve the pavement section for the decorative paving.
- 6. The onsite streetlights and pedestrian lighting shall have a decorative design approved by the Planning Director and the City Engineer. The locations of the lights shall be shown

on the improvement plans and shall be approved by the City Engineer.

- 7. Upon any necessary repairs to the facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners association established to maintain the common areas within the subdivision boundary.
- 8. The CC&R's shall include provisions for maintenance of the driveway, decorative pavement, and onsite lighting.

### **Storm Drainage**

- 9. The subdivision storm drain system shall be a private system owned and maintained by the homeowners association.
- 10. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, the Developer's Engineer shall complete the Development Building Application Form Information: 1) Impervious Material Form and 2) Operation and Maintenance Information Form.
- 11. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the Alameda County Flood Control and the City Engineer. Development of this site is not to augment runoff to the District flood control facility downstream. The hydrology study shall substantiate that there will be no net increase in the quantity of runoff from the site versus the flow rate derived from the original design of downstream facilities. If there is augmented runoff, off-site and/or on-site mitigation measures will be necessary.
- 12. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer.
- 13. The developer shall provide a copy of the Notice of Intent filed with the State Water Resources Control Board, prior to the issuance of a grading permit for the project site.
- 14. The project plans shall include storm water pollution prevention and control measures for the operation and maintenance of the project during and after construction for review and approval of the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. Options include utilization of a grassy swale, use of unit pavers for all paved areas or installation of an inline treatment system.

The project should be designed to direct runoff to the landscaped yards and common space, prior to entry into the storm drain system. Unit pavers should also be used for impervious areas such as the driveway, parking areas and fire truck turn around. If these methods are

- utilized, the inline treatment system may not be required.
- 15. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
- 16. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
- 17. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
- 18. No surface runoff is allowed to flow over the sidewalk and /or driveway. Area drains shall be installed behind the sidewalk area to collect all runoff from the project site.
- 19. All storm drain inlets must be labeled "No Dumping Drains to Bay" using City approved methods.

### **Sanitary Sewer System**

- 20. The sanitary sewer system shall be designed in accordance with the City of Hayward Standard Details, particularly the Building Court Sewer Main.
- 21. Onsite sanitary sewer mains shall be located 6 feet from the face of curb within the private driveway.
- 22. Each residential unit shall have a separate sanitary sewer lateral.
- 23. All existing sanitary sewer laterals that are not to be reused shall be abandoned. The laterals shall be severed at the sewer main and the wyes shall be plugged using a mechanical plug. This work shall be done by City forces and will be paid for by the developer.

#### Water System

- 24. Water service is available subject to standard conditions and fees in effect at the time of application.
- 25. The looped water main shown is not acceptable. The water services for the townhouses shall be served by a service manifold to be located in the Smalley Ave. ROW. The service manifold shall be located 6 feet from sanitary sewer laterals.
- 26. Each residential unit shall have an individual radio read water meter.

- 27. The fire service line for the fire hydrant shall have a double check detector assembly with trim meter located in Smalley Ave.
- 28. All existing water services to be abandoned shall be abandoned by turning off the corporation stop and cutting the existing line. This work shall be done under the direct supervision of the City Inspector.

#### Fire Protection

- 29. Fire Department requirements shall be as follows:
  - a. The private driveway is shown on the plan with a 20-foot roadway width. This driveway shall be posted as a fire lane and no parking of vehicles shall be allowed on either side. Red curbing will be required for the entire length of the driveway. Signs shall be posted to allow towing of illegally parked vehicles to ensure adequate fire truck access.
  - b. The private driveway shall be designed and engineered to withstand 50,000 lbs. GVW of fire apparatus. In addition, where pavers or decorative concrete is being used, the installation shall also meet the same engineering and design.
  - c. The fire truck turn around shall be designed to the same standards and shall also be red-curbed and posted with "No Parking" signage.
  - d. Addressing of the buildings shall be in agreement with the Hayward Fire Department. All buildings shall have a minimum 4 inch self-illuminated address installed on the front of the building so as to be visible from the street. Provide an address monument sign at the new driveway entrance on Smalley Ave. reflecting the building addresses for lots #2, #3, #4 and #5. Minimum size numbers shall be 6 inches in height on a contrasting background.
  - e. One new fire hydrant shall be installed along the private driveway within the development. The type of fire hydrant shall be a modified steamer, capable of flowing 1500 GPM at 20 PSI for a 2-hour duration (includes allowance granted 50 percent for fire sprinklers). The design and layout of the hydrants shall be reviewed and approved by the Fire Department prior to construction.
  - f. Blue reflective pavement markers shall be installed at fire hydrant locations.
  - g. If fire hydrants are located so as to be subjected to vehicle impact, crash posts shall be installed around the fire hydrant(s).
  - h. Fire hydrants for the development shall be operational and in-service prior to the start of any combustible construction and /or storage of combustible construction materials.

- i. The proposed development is for (2) buildings, 2 stories in height. The units will be residential townhouses (R-3 occupancies) constructed with a common wall (1-hour rated each side). Each building will be of Type V-N construction. Building permits shall be reviewed and approved by the Fire Department prior to the start of construction.
- j. Each building shall have an automatic fire sprinkler system installed in conformance with NFPA13-D (Modified) Standards, which includes fire sprinkler protection within all living areas, garage and attic areas. The design and installation shall be by a state licensed C-16 fire sprinkler contractor. A separate Fire Department permit will be required for each of the fire sprinkler system installations.
- k. The fire sprinkler protection system shall be supplied from the domestic water line and be independently controlled. Minimum 1-inch meters with 1 ½ " services shall be required for each townhouse unit.
- 1. Each townhouse shall have an interior alarm system signaling device which will activate upon waterflow of the fire sprinkler system.
- m. Each townhouse shall have an exterior alarm bell installed in an approved location.
- n. Each fire sprinkler system shall be equipped with a spare sprinkler head box located at the riser.
- o. Smoke detectors shall be installed in each dwelling unit. Installation of the smoke detectors shall meet the State of California Building Code and shall be hard wired electrically with battery back up.
- p. Each townhouse unit shall have an approved spark arrestor installed on the chimney cap if a fireplace is constructed.

### <u>Utilities</u>

- 30. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC (phone) Company and local cable company regulations. All facilities necessary to provide service to the dwellings, including transformers and switchgear, shall also be undergrounded.
- 31. The joint trench shall be located under the pedestrian walkway and grooved concrete driveways.
- 32. All utilities, including water mains, located underneath decorative paving or "turf block" shall be encased in steel sleeves.
- 33. All surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed driveway

or public streets shall be located outside of the sidewalk within the Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Hayward Fire Chief.

34. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

#### Walls, Fences and Retaining Walls

35. A perimeter retaining wall with a 6 foot fence on top, is shown on the plans. The developer shall work with the adjacent property owners to have one fence along the property line, rather than two fences back to back. The design and location of this wall/fence will need to be reviewed and approved by the Planning Director and City Engineer. A separate building permit will be required for this structure.

#### **Dedications, Easements and Encroachment Permits**

- 36. The final map shall reflect all easements needed to accommodate the public portions of the sanitary sewer and water systems that are outside of the private driveway. The easements shall be a minimum of 12 feet wide. The private driveway shall be designated as a Public Utility Easement, (PUE) Sanitary Sewer Easement (SSE) and Emergency Vehicle Easement (EVAE).
- 37. Prior to the approval of the final map, all documents that need to be recorded with the final map, shall be approved by the City Engineer and any unpaid invoices or other outstanding charges accrued to the City for the processing of the subdivision application shall be paid.
- 38. An encroachment permit shall be obtained by the Developer/Contractor prior to commencement of any work within the right-of-way of any public street.

#### **Subdivision Agreement**

39. The developer shall execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

#### PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS

40. Required water system improvements shall be completed and operational prior to the start of combustible construction.

#### **DURING CONSTRUCTION**

41. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 7:00 AM to 6:00 PM on weekdays; there shall be no grading or construction activities on the weekend or national holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
- f. The developer shall participate in the City's recycling program during construction.
- g. Daily clean up of trash and debris shall occur along all 4 peripheral streets;
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site:
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites:
- 1. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before

#### sweeping;

- q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place;
- r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
- t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "Building Maintenance/Remodeling" flyer for more information;
- u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
- v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
- 42. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
- 43. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.

# PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

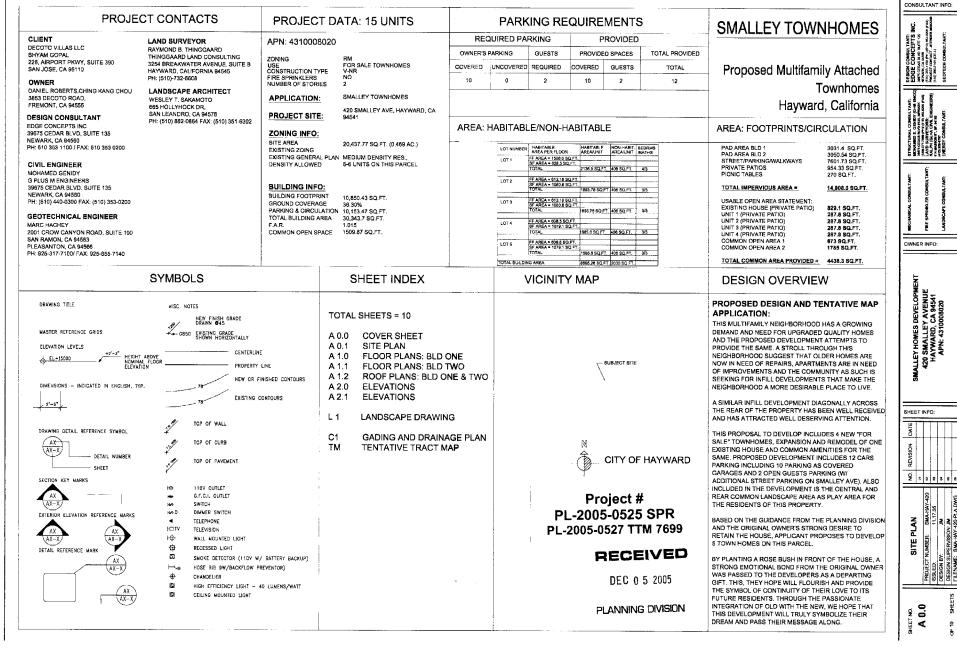
- 44. The applicant/developer shall pay the following fees;
  - a. Supplemental Building Construction and Improvement Tax;
  - b. School Tax; and

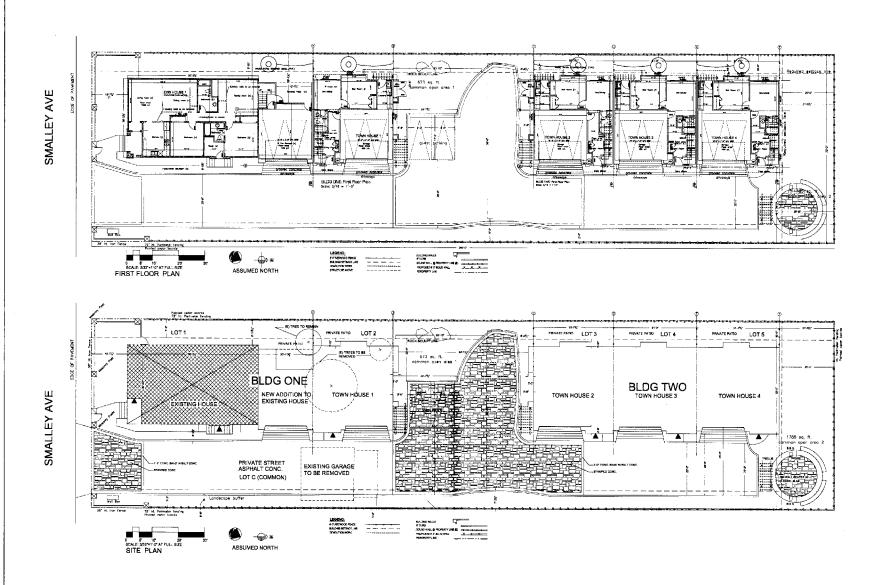
- c. Park Dedication in-lieu fees for each unit. The amount of the fee shall be in accordance with the fee schedule in effect at the time the vesting tentative map was accepted as complete.
- d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
- 45. A reduced pressure backflow preventer shall be installed behind the water meter per City of Hayward Standard Detail 202.
- 46. Prior to granting occupancy, water services shall be installed by City crews at the developer's expense. The application for water services shall be presented to the City Inspector.
- 47. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
- 48. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.

# PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

- 49. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
- 50. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
- 51. The improvements associated with the Pacific Gas and Electric Company, SBC (phone) company and local cable company shall be installed to the satisfaction of the respective companies.
- 52. The subdivider shall submit an "as built" plan indicating the following:
  - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, SBC (phone) facilities, local cable company, etc; and;
  - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

# DUE TO THE COLOR OF THE REFERENCED ATTACHMENT, IT HAS BEEN ATTACHED AS A SEPARATE LINK





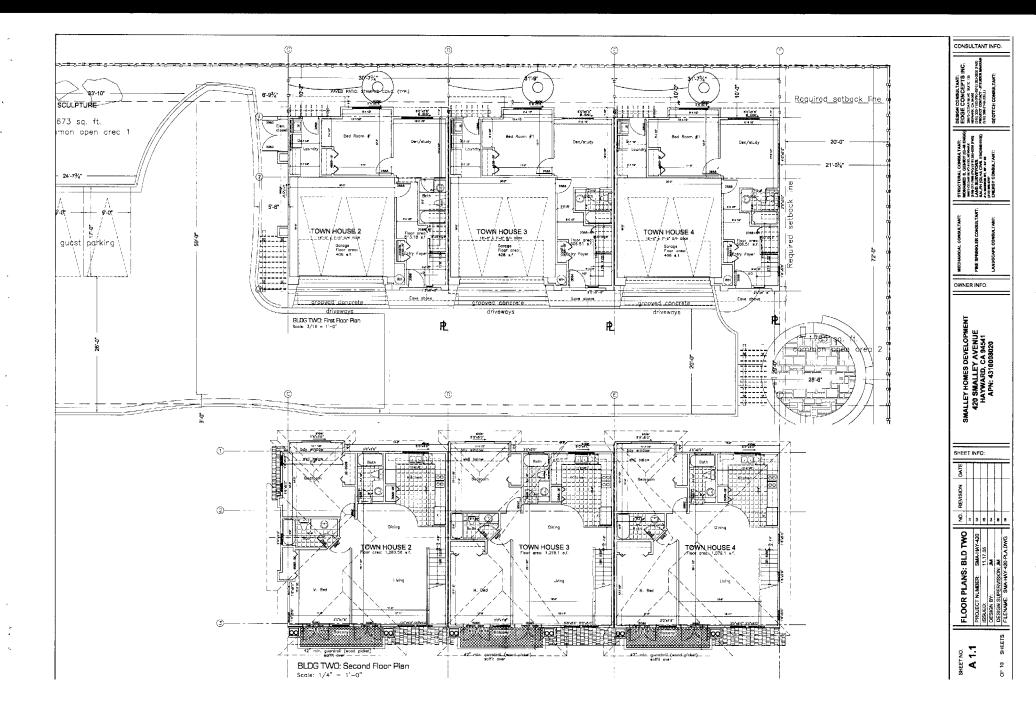
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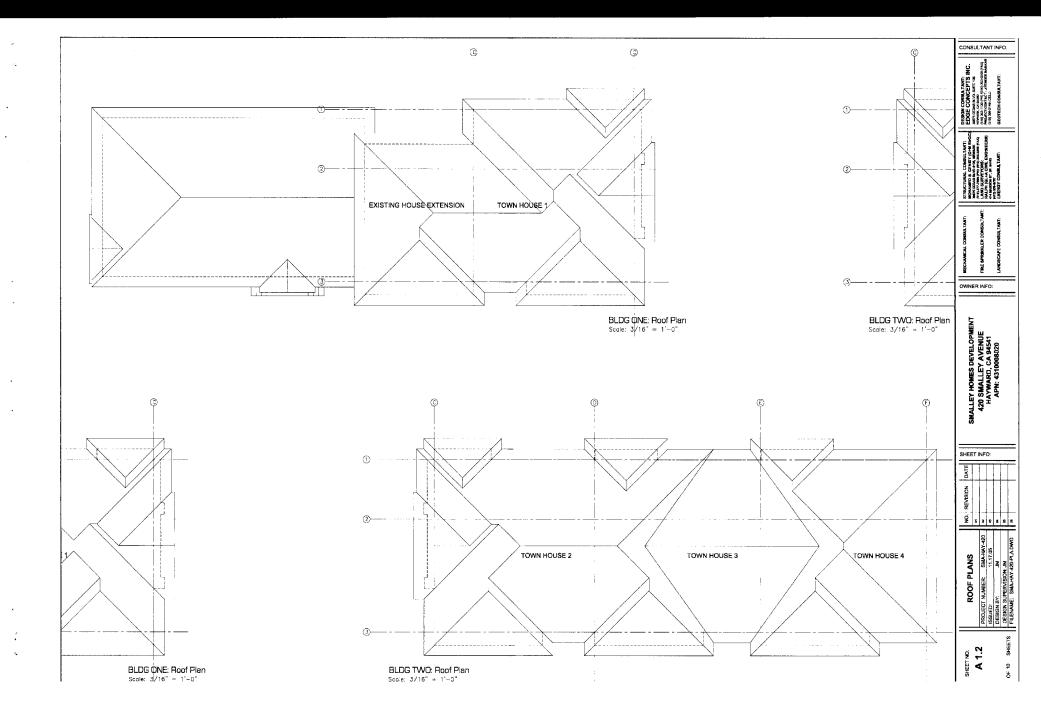
CONSULTANT INFO:

OWNER INFO:

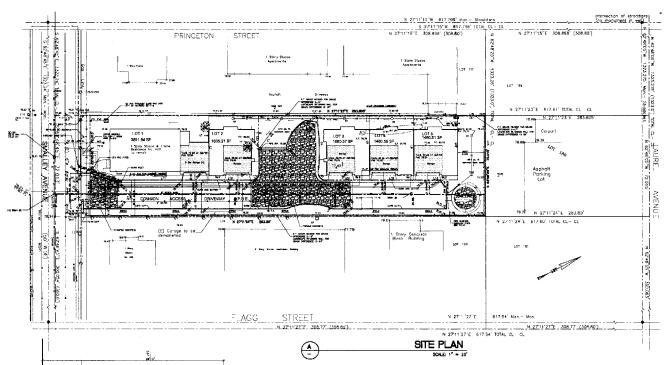
#### **(A)** 3 PAVED PATO: STAMPED CONG. (TVP.) ROCK SCULPTURE PAVEMENT --- 50'-21/2" 673 sq. ft. 13'-71/2" common open area 1 STRUCTURAL CONSULTANT: SHOWARD A CENTRY (64-8 EMCO) SHOWARD A CHARLE (64-8 EMCO) SHOWARD A CHARLE (64-8 EMCO) LAND SHAWKFORS: HAMBOUT ST. SHOW SHOWARD A CONSULTANT: SHOWARD SHAWKFORS: SHOWARD SHAWKF EXIS HOUSE 1 ered Patio (n) SMALLEY AVE 13'-7¼\* ⟨E⟩ EDGE OF 0 2----24-73/4 30-2½ Both TOWN HOUSE 1 / 14"-0" x 7"-0" OPH DOOR 00 2 Car Carage (n) Floor area: 406 s.f. guest parking Study (n) OWNER INFO: PEDESTRIAN WALKWAY (N) \_grooved\_concrete\_ dropved concrete driveways drivewoys SMALLEY HOMES DEVELOPMENT 420 SMALLEY AVENUE HAYWARD, CA 94541 APN: 4319008020 BLDG ONE: First Floor Plan Scale: 3/16 = 1'-0" 电 0.0,×2.0. bay, nicidus SHEET INFO: \_rol\_boox\_ afder 5'8'x4'0" Bedroom #4 Floor pres: 628.55 e.t Z 5 8 8 4 8 8 PROJECT NUMBER: SMA-HAY-420 ISSUED: JA DESGUED: JA DESGUES UPERVISION: JA FIENDARE: SMA-HAY-420-PLA.DWG 0017 FLOOR PLANS: BLD ONE **EXISTING HOUSE 1** Living M. Bed SHEETS SHEET NO. **A 1.0** min. guardraii (wood picket) soffil over ₽ BLDG ONE: Second Floor Plan Scale: 3/16" = 1'-0"

CONSULTANT INFO:









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L3	46.01	N62*48'37"W
L4	35.66	N27*11'33"E
L5	37.72	N27*11'33"E
L6	46.00	N62'48'37"W
L7	31.75	N27'11'33"E
L8	46.00	N62*48'37"W
L9	31.75	N27"11'33"E
L10	30.67	S27'11'23"W
L 1 1	65.86	S27'11'23"W
L12	14.52	S43*44'38"W
£13	30.97	S62*4B'45"E
L14	283.80	N2711124"E
L15	72.015	S62"4B"25"E
L16	19.90	\$27'11'33"W
L17	46.00	S62*48'37"E
L18	31.75	\$27'11'23"W
L19	31.75	527'11'23"W
L20	31.47	\$27'11'23"W
,L21	41.55	\$27'11'23 <u>"</u> W
L22	41.01	S62'48'37"E

CURVE TABLE		
CURVE	LENGTH	RADIUS
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C2	5.78	20.00
C3	8.37	5.00
C4	40.62	159.06

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G PLUS M ENGINEERS 39675 CEDAR BLVD SUITE 135 NEWARK, CA 94560 TEL. (510) 440-0300 FAX (510) 353-0200

> PROJECT 5 UNIT SUBDIVISION 420 SMALLEY AVE. HAYWARD, CA

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TENTATIVE MAP **TRACT NO. 7699** 

TNTATIVE MAP

Date	Drawing Number
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Scale	
AS NOTED	TM-1
Project Number	
05-295	SHEET 1 OF 1

OWNER & DEVELOPER JITENDER MAKKAR ETAL 39875 CEDAR BLVD, SUITE 135 NEWARK, CA 94580

#### OWNER'S STATEMENT

I AGREE TO THE FILING OF SAID MAP AND AGREE TO COMPLY WITH THE PROVISIONS OF THE CITY OF BAYMAND SUBDIVISION ORDINANCE AND THE STATE MAP ACT AS THEY APPLY TO THE PROCESSING AND APPROVAL OF SAID MAP

PARKING TWO COMMON GUSSET PARKING

#### BENCHMARK:

BRASS DISC ON TOP OF CURB AT DROP INLET AT INTERSECTION OF PRINCETON AND POPLAR.

ELEVATION = 69.728 (ALAMEDA COUNTY DATUM)

TOPO SURVEY BY THINGGARD LAND CONSULTANTS

#### NOTES

1. ASSESSOR'S PARCEL NUMBER: 0431000802000

5. ZONING: EXISTING: RM (MEDIUM DEN SPIY) PROPOSED: RM (MEDIUM DEN SITY)

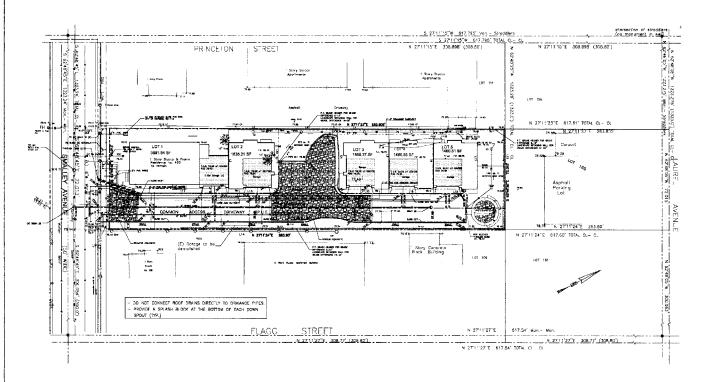
THE COMMON DRIVEWAY SHALL BE DEDICATED AS A PUBLIC UTILITY EASEMENT (FUE), SANITARY SEWER RASEMENT (SEE) AND EMERGENCY VEHICLE ACCESS EASEMENT (E.V.A.E.)

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SECTION AT PRIVATE ROAD

VICINITY MAP N.T.S.



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PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN

NOTE:

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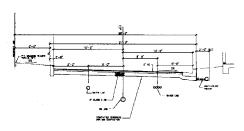
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SECTION AT PRIVATE ROAD
SOLE 1' - 4'

G PLUS M ENGINEERS

39675 CEDAR BLVD SUITE 135 NEWARK, CA 94560 TEL. (510) 440-0300 FAX (510) 353-0200



PROJECT
5 UNIT SUBDIVISION
AT
420 SMALLEY AVE.
HAYWARD, CA



TENTATIVE MAP TRACT NO. 7699

> PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN

Date
11-18-05
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Project Number
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9/14/05

ROSEMARY AREXES 24" O.C.

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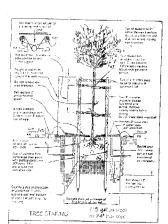
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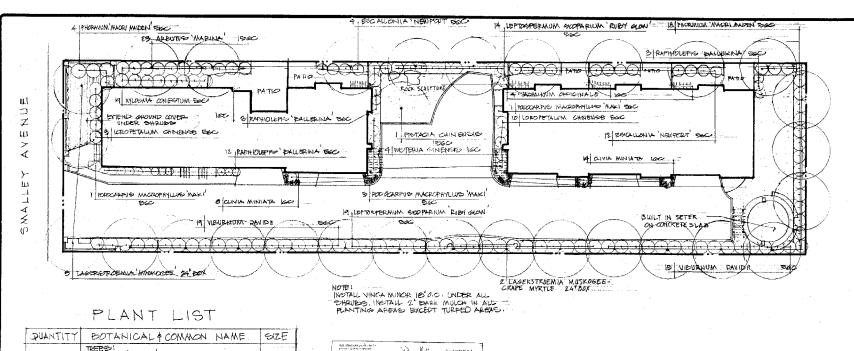
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4 4	MEMINIA OFFICINALE - COMMON GAGNINE VINES:	160

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